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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA and THE PEOPLE OF THE STATE OF CALIFORNIA, Acting by and through San Francisco City Attorney DAVID CHIU,

Case No. 3:18-cv-07591-CRB-JSC

**STIPULATION AND [PROPOSED] ORDER
AMENDING PLAINTIFF'S COMPLAINT**

Plaintiffs,

V.

PURDUE PHARMA L.P., et al.

Defendants.

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1 Pursuant to Civil Local Rule 7-12 and Fed. R. Civ. P. 15(a)(2) the People of the State of
2 California, acting by and through San Francisco City Attorney David Chiu, (“Plaintiff”), together
3 with Defendants (the “Parties”) respectfully submit this stipulation to allow Plaintiff to amend its
4 complaint.

5 **WHEREAS**, Plaintiff informed Defendants and this Court on January 14, 2022 in the
6 parties’ Joint Statement, Dkt. 938, of its intention to withdraw its claim under California’s False
7 Advertising Law (“FAL”), Cal. Bus. & Prof. Code § 17500, et seq. (Count V) and the portions of
8 Plaintiff’s claim under California’s Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code
9 § 12500, et seq. (Count IV) that are predicated on violations of the FAL.

10 **WHEREAS**, the parties stipulate, pursuant to Fed. R. Civ. P. 15(a)(2), to allow amendment
11 of Plaintiff’s complaint to withdraw Claim V, relevant portions of Claim IV, and other references
12 to the FAL and/or § 17500. *See* Dkt. 128 at 2-3 and ¶¶ 78, 908, 910-11, 914, 920-25 (“the
13 Withdrawn Claims”).

14 **WHEREAS**, these paragraphs and references constitute the entirety of Plaintiff’s claim
15 under the FAL as they relate to harm in and to San Francisco.

16 **WHEREAS**, the Parties agree that withdrawal of the aforementioned references and
17 paragraphs will be with prejudice only as to the Withdrawn Claims as they are pled within the
18 geographic limits of San Francisco, as set forth in the factual allegations of the operative complaint,
19 and do not extend to FAL claims that have been or may be made with respect to or by other cities,
20 counties, or the State of California.

21 **THE PARTIES THEREFORE STIPULATE, AGREE, AND REQUEST**, through their
22 respective counsel of record, the Court order that Plaintiff’s complaint is amended to reflect
23 Plaintiff’s withdrawal of its FAL allegations and claims.

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25 DATED: March 2, 2022

Respectfully submitted,

Additional Counsel:

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1 PURSUANT TO STIPULATION, **IT IS SO ORDERED.**

2 Dated: _____, 2022

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CHARLES R. BREYER
4 United States District Judge

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ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the above signatories.

Dated: March 2, 2022

By: /s/ Tiffany R. Ellis

CERTIFICATE OF SERVICE

I hereby certify that, on March 2, 2022, service of this document was accomplished pursuant to the Court's electronic filing procedures by filing this document through the ECF system.

/s/ *Tiffany R. Ellis*
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